

Adopted at Meeting of 7/10/75

RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY

RE: TENTATIVE DESIGNATION OF REDEVELOPER

PARCELS RR-102, RR-103, RR-104, RR-105, RR-106, RR-107, RR-108
RR-109, RR-110, RR-111, RR-112

SOUTH END URBAN RENEWAL AREA, PROJECT NO. MASS. R-56

WHEREAS, the Boston Redevelopment Authority, hereinafter referred to as the "Authority", has entered into a contract for loan and capital grant with the Federal Government under Title I of the Housing Act of 1949, as amended, which contract provides for financial assistance in the hereinafter identified project; and

WHEREAS, the Urban Renewal Plan for the South End Urban Renewal Area, Project No. Mass. R-56, hereinafter referred to as the "Project Area", has been duly reviewed and approved in full compliance with local, State and Federal law; and

WHEREAS, the Authority is cognizant of the conditions that are imposed in the undertaking and the carrying out of urban renewal projects with Federal financing assistance under said Title I, including those prohibiting discrimination because of race, color, sex, religion or national origin; and

WHEREAS, James O. McFarland and Bernard Hayes have expressed an interest in and has submitted as satisfactory proposal for the development of Disposition Parcels RR-102, RR-103, RR-104, RR-105, RR-106, RR-107, RR-108, RR-109, RR-110, RR-111, RR-112, in the South End Urban Renewal Area; and

WHEREAS, the Authority is cognizant of Chapter 30, Sections 61 and 62 of the Massachusetts General Laws, as amended, with respect to minimizing and preventing damage to the environment:

NOW, THEREFORE, BE IT RESOLVED BY THE BOSTON REDEVELOPMENT AUTHORITY:

1. That James O. McFarland, Inc., and Bernard Hayes is tentatively designated as Redeveloper of Disposition Parcels RR-102, RR-103, RR-104, RR-105, RR-106, RR-107, RR-108, RR-109, RR-110, RR-111, RR-112 in the South End Urban Renewal Area subject to:

(a) Concurrence in the proposed disposal transaction by the Department of Housing and Urban Development:

(b) Publication of all public disclosure and issuance of all approvals required by the Massachusetts General Laws and Title I of the Housing Act of 1949, as amended:

(c) Submission within ninety (90) days in a form satisfactory to the Authority of:

(i) Evidence of the availability of necessary equity funds; and

(ii) Evidence of firm financial commitments from banks or other lending institutions; and

(iii) Final Working Drawings and Specifications; and

(iv) Proposed construction and rental schedules.

2. That disposal of Parcels RR-102, RR-103, RR-104, RR-105, RR-106, RR-107, RR-108, RR-109, RR-110, RR-111, RR-112, by negotiation is the appropriate method of making the land available for development.

3. That it is hereby found and determined that the proposed development will not result in significant damage to or impairment of the environment and further, that all practicable and feasible means and measures have been taken and are being utilized to avoid or minimize damage to the environment.

4. That the Secretary is hereby authorized and directed to publish notice of the proposed transaction in accordance with Section 105 (E) of the Housing Act of 1949, as amended, including information with respect to the Redeveloper's Statement for Public Disclosure (Federal Form H-60004).



REDEVELOPER'S STATEMENT FOR PUBLIC DISCLOSURE¹

A. REDEVELOPER AND LAND

1. a. Name of Redeveloper: **Bernard N. Hayes and James O. McFarland**b. Address of Redeveloper: **142 W. Canton St. 15 Cefalo Road**
Boston Ma, 02118 West Roxbury, Mass.

2. The land on which the Redeveloper proposes to enter into a contract for, or understanding with respect to, the purchase or lease of land from:

Boston Redevelopment Authority*(Name of Local Public Agency)***South End Urban Renewal Area**in *(Name of Urban Renewal or Redevelopment Project Area)*in the City of **Boston**, State of **Massachusetts**
is described as follows:# 360, 362, 364, 366, 368, 370, 372, 374, 376, 378,
380, Columbus Avenue, Boston Mass.

3. If the Redeveloper is not an individual doing business under his own name, the Redeveloper has the status indicated below and is organized or operating under the laws of _____:

☐ A corporation.☐ A nonprofit or charitable institution or corporation.☐ A partnership known as _____☐ A business association or a joint venture known as _____☐ A Federal, State, or local government or instrumentality thereof.☒ Other (explain) **Individuals will form a Chapter 121A Limited Partnership.**4. If the Redeveloper is not an individual or a government agency or instrumentality, give date of organization:
not applicable

5. Names, addresses, title of position (if any), and nature and extent of the interest of the officers and principal members, shareholders, and investors of the Redeveloper, other than a government agency or instrumentality, are set forth as follows:

¹ If space on this form is inadequate for any requested information, it should be furnished on an attached page which is referred to under the appropriate numbered item on the form.² Any convenient means of identifying the land (such as block and lot numbers or street boundaries) is sufficient. A description by notes and names or other technical description is acceptable, but not required.

- a. If the Redeveloper is a corporation, the officers, directors or trustees, and each stockholder owning more than 10% of any class of stock¹.
- b. If the Redeveloper is a nonprofit or charitable institution or corporation, the members who constitute the board of trustees or board of directors or similar governing body.
- c. If the Redeveloper is a partnership, each partner, whether a general or limited partner, and either the percent of interest or a description of the character and extent of interest.
- d. If the Redeveloper is a business association or a joint venture, each participant and either the percent of interest or a description of the character and extent of interest.
- e. If the Redeveloper is some other entity, the officers, the members of the governing body, and each person having an interest of more than 10%.

NAME, ADDRESS, AND ZIP CODE

POSITION TITLE (if any) AND PERCENT OF INTEREST OR DESCRIPTION OF CHARACTER AND EXTENT OF INTEREST

Bernard N. Hayes
142 West Canton Street
Boston Ma. 02118

general partner 50%

James O. McFarland
15 Cefalo Road
West Roxbury Ma. 02132

general partner 50%

6. Name, address, and nature and extent of interest of each person or entity (not named in response to Item 5) who has a beneficial interest in any of the shareholders or investors named in response to Item 5 who gives such person or entity more than a computed 10% interest in the Redeveloper (for example, more than 20% of the stock in a corporation which holds 50% of the stock of the Redeveloper; or more than 50% of the stock in a corporation which holds 20% of the stock of the Redeveloper).

NAME, ADDRESS, AND ZIP CODE

DESCRIPTION OF CHARACTER AND EXTENT OF INTEREST

n/a

7. Names (if not given above) of officers and directors or trustees of any corporation or firm listed under Item 5 or Item 6 above:

n/a

B. RESIDENTIAL REDEVELOPMENT OR REHABILITATION

(The Redeveloper is to furnish the following information, but *only* if land is to be redeveloped or rehabilitated in whole or in part for *residential* purposes.)

¹ If a corporation is required to file periodic reports with the Federal Securities and Exchange Commission under Section 13 of the Securities Exchange Act of 1934, so state under this Item 5. In such case, the information referred to in Items 5 and in Items 6 and 7 is not required to be furnished.

1. State the Redeveloper's estimates, exclusive of payment for the land, for:

- a. Total cost of any residential redevelopment. \$
- b. Cost per dwelling unit of any residential redevelopment. \$
- c. Total cost of any residential rehabilitation 1,372,000. \$
- d. Cost per dwelling unit of any residential rehabilitation 27,440. \$

2. a. State the Redeveloper's estimate of the average monthly rental (if to be rented) or average sale price (if to be sold) for each type and size of dwelling unit involved in such redevelopment or rehabilitation:

TYPE AND SIZE OF DWELLING UNIT		ESTIMATED AVERAGE MONTHLY RENTAL	ESTIMATED AVERAGE SALE PRICE
Efficiency (under section 13A Program)		\$145 /month	N/A
1 bedroom	" "	\$175 /month	N/A
2 bedroom	" "	\$210 /month	N/A
3 bedroom	" "	\$240 /month	N/A
4 bedroom	" "m	\$260 /month	N/A

b. State the utilities and parking facilities, if any, included in the foregoing estimates of rentals:

All heat, electricity, parking and utilities, except telephone are included above.

c. State equipment, such as refrigerators, washing machines, air conditioners, if any, included in the foregoing estimates of sales prices: refrigerators, stoves, A/C sleeves and garbage disposals.

CERTIFICATION

I (We)¹ Bernard N. Hayes and James O McFarland

certify that this Redeveloper's Statement for Public Disclosure is true and correct to the best of my (our) knowledge and belief.²

Dated: December 26, 1974

Dated: December 26 1974

Bernard N. Hayes
Signature

James O. McFarland
Signature

Title

Pres.
Title

142 West Canton Street, 02118
Address and ZIP Code

15 Cefalo Rd. W. Roxbury, 02132
Address and ZIP Code

¹ If the Redeveloper is an individual, this statement should be signed by such individual; if a partnership, by one of the partners; if a corporation or other entity, by one of its chief officers having knowledge of the facts required by this statement.

² Penalty for False Certification: Section 1001, Title 18, of the U.S. Code, provides a fine of not more than \$10,000 or imprisonment of not more than five years, or both, for knowingly and willfully making or using any false writing or document, knowing the same to contain any false, fictitious or fraudulent statement or entry in a matter within the jurisdiction of any department of the United States.

REDEVELOPER'S STATEMENT OF QUALIFICATIONS AND FINANCIAL RESPONSIBILITY

(For Confidential Official Use of the Federal Public Agency and the Department of Housing and Urban Development. Do Not Transmittal to HUD Under Regulations of the FEDERAL ACQUISITION REGULATION.)

1. a. Name of Redeveloper: Bernard N. Hayes and James O. McFarland

b. Address and ZIP Code of Redeveloper: 142 W. Canton St. 15 Cefalo Road
Boston, Mass., 02118 W. Roxbury, 02132

2. The land on which the Redeveloper proposes to enter into a contract for, or understanding with respect to, the purchase or lease of land from

Boston Redevelopment Authority

in South End Urban Renewal Area

(Name of Urban Renewal or Redevelopment Project Area)

in the City of Boston, State of Massachusetts
 is described as follows:

Nos. 360, 362, 364, 366, 368,
370, 372, 374, 376, 378, 380
Columbus Avenue, Boston Mass.

3. Is the Redeveloper a subsidiary of or affiliated with any other corporation or corporations or any other firm or firms?

If Yes, list each such corporation or firm by name and address. ☒ Yes ☐ No

and identify the officers and directors or trustees common to the Redeveloper and each other corporation or firm.

James O. McFarland, Inc.

Mr. James O. McFarland is the president and stockholder.

4. a. The financial condition of the Redeveloper, as of June 30, 1974

is as reflected in the attached financial statement.

(NOTE: Attach to this statement a certified financial statement showing the assets and the liabilities, including contingent liabilities, fully itemized in accordance with accepted accounting standards and based on a proper audit. If the date of the certified financial statement precedes the date of this submission by more than six months, also attach an interim balance sheet not more than 60 days old.)

b. Name and address of auditor or public accountant who performed the audit on which said financial statement is based:

5. If funds for the development of the land are to be obtained from sources other than the Redeveloper's own funds, a statement of the Redeveloper's plan for financing the acquisition and development of the land:

Redeveloper plans to obtain either Section 312 loan(s) or an MHFA mortgage for 90% of total costs; the equity financing will be from the redeveloper's own cash and the sale of limited partnership interests.

6. Sources and amount of cash available to Redeveloper to meet equity requirements of the proposed undertaking:

a. In banks:

NAME, ADDRESS, AND EIN CODE OF BANK

AMOUNT

See Financial Statement

b. By loans from affiliated or associated corporations or firms:

NAME, ADDRESS, AND EIN CODE OF SOURCE

AMOUNT

c. By sale of readily salable assets:

DESCRIPTION

MARKET VALUE

MORTGAGES OR LIENS

N/A

\$

N/A

\$

N/A

7. Names and addresses of bank references:

New England Merchants Bank

8. a. Has the Redeveloper or (if any) the parent corporation, or any subsidiary or affiliated corporation of the Redeveloper or said parent corporation, or any of the Redeveloper's officers or principal members, shareholders or investors, or other interested parties (as listed in the responses to Items 5, 6, and 7 of the Redeveloper's Statement for Public Disclosure and referred to herein as "principals of the Redeveloper") been adjudged bankrupt, either voluntary or involuntary, within the past 10 years? ☐ YES ☒ NO

If Yes, give date, place, and under what name.

- b. Has the Redeveloper or anyone referred to above as "principals of the Redeveloper" been indicted for or convicted of any felony within the past 10 years? ☐ YES ☒ NO

If Yes, give for each case (1) date, (2) charge, (3) place, (4) Court, and (5) action taken. Attach any explanation deemed necessary.

9. a. Undertakings, comparable to the proposed redevelopment work, which have been completed by the Redeveloper or any of the principals of the Redeveloper, including identification and brief description of each project and date of completion:

Ebenezer Homes, Inc. 32 units MHFA completed
Chester Square Apartments 29 units MHFA completed
Upton Inn Assoc., Upton, Mass. 34 units MHFA April 1, 1975
And enclosed resume.

k. If the Redeveloper or any of the principals of the Redeveloper has ever been an employee, in a professional capacity, of a construction contractor or builder on undertakings comparable to the proposed undertaking work, name of such employee, name and address of employer, title of position, and brief description of work:

See attached list of prior work.

19. Other federally aided urban renewal projects under Title I of the Housing Act of 1949, as amended, in which the Redeveloper or any of the principals of the Redeveloper is or has been the redeveloper, or a staff officer, director or trustee, or partner of such a redeveloper:

See attached list of Section 312 work.

11. If the Redeveloper or a parent corporation, a subsidiary, an affiliate, or a principal of the Redeveloper is to participate in the development of the land as a construction contractor or builder:

a. Name and address of such contractor or builder:

James O. McFarland, Inc.

15 Cafalo Road, West Roxbury, Mass., 02132

b. Has such contractor or builder within the last 10 years ever failed to qualify as a responsible bidder, refused to enter into a contract after an award has been made, or failed to complete a construction or development contract?

If Yes, explain:

☐ Yes ☒ No

c. Total amount of construction or development work performed by such contractor or builder during the last three years: \$ 4,000,000.

General description of such work:

Complete rehabilitation of residential housing

d. Construction contracts or developments now being performed by such contractor or builder:

IDENTIFICATION OF
CONTRACT OR DEVELOPMENT

Upton Inn, Assoc.

LOCATION

Upton, Mass.

AMOUNT

\$655,000

DATE TO BE
COMPLETED

April 1, 1975

c. Outline the construction-contract bids of such contractor or builder:

AMOUNT

Wellington-Harrington Development Corp.

AMOUNT

\$1,155,000

DATE

12/16/74

12. Brief statement respecting equipment, experience, financial capacity, and other resources available to such contractor or builder for the performance of the work involved in the redevelopment of the land, specifying particularly the qualifications of the personnel, the nature of the equipment, and the general experience of the contractor: Both of the principals have had substantial

experience in all aspects of development financing, general contracting and management of residential housing.

13. a. Does any member of the governing body of the Local Public Agency to which the accompanying bill or proposal is being made or any officer or employee of the Local Public Agency who exercises any functions or responsibilities in connection with the carrying out of the project under which the land covered by the Redeveloper's proposal is being made available, have any direct or indirect personal interest in the Redeveloper or in the redevelopment or rehabilitation of the property upon the basis of such proposal? ☐ Yes ☒ No

If Yes, explain.

- b. Does any member of the governing body of the locality in which the Urban Renewal Area is situated or any other public official of the locality, who exercises any functions or responsibilities in the review or approval of the carrying out of the project under which the land covered by the Redeveloper's proposal is being made available, have any direct or indirect personal interest in the Redeveloper or in the redevelopment or rehabilitation of the property upon the basis of such proposal? ☐ Yes ☒ No

If Yes, explain.

14. Statements and other evidence of the Redeveloper's qualifications and financial responsibility (other than the financial statement referred to in Item 1a) are attached hereto and hereby made a part hereof as follows:

CERTIFICATION

I (We) Bernard N. Hayes and James O. McFarland

certify that this Redeveloper's Statement of Qualifications and Financial Responsibility and the attached evidence of the Redeveloper's qualifications and financial responsibility, including financial statements, are true and correct to the best of my (our) knowledge and belief.²

Dated: December 26, 1974

Dated: December 26, 1974

Bernard N. Hayes
Signature

James O. McFarland
Signature

Title

Title

142 West Canton St.
Boston, Mass., 02118

Address and ZIP Code

15 Cefalo Road
West Roxbury, Mass., 02132

Address and ZIP Code

¹ If the Redeveloper is a corporation, this statement should be signed by the President and Secretary of the corporation; if an individual, by such individual; if a partnership, by one of the partners; if an entity not having a president and secretary, by one of its chief officers having knowledge of the financial status and qualifications of the Redeveloper.

² Penalty for False Certification: Section 1001, Title 18, of the U.S. Code, provides a fine of not more than \$10,000 or imprisonment of not more than five years, or both, for knowingly and willfully making or using any false writing or document, knowing the same to contain any false, fictitious, or fraudulent statement or entry in a matter within the jurisdiction of any department or agency of the United States.

MEMORANDUM

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: ROBERT T. KENNEY, DIRECTOR

SUBJECT: SOUTH END URBAN RENEWAL AREA, PROJECT NO. MASS. R-56
TENTATIVE DESIGNATION OF REDEVELOPERS
James O. McFarland and Bernard Hayes
Parcels RR-102, RR-103, RR-104, RR-105, RR-106, RR-107
RR-108, RR-109, RR-110, RR-111, RR-112
360-380 Columbus Avenue

SUMMARY: This memorandum requests that the Authority tentatively designate James O. McFarland, Inc., and Bernard Hayes as Redevelopers of Parcels RR-102, RR-103, RR-104, RR-105, RR-106, RR-107, RR-108, RR-109, RR-110, RR-111, RR-112 in the South End Urban Renewal Area.

Parcels RR-102 through RR-112 consist of approximately 15,925 square feet and are located at 360-380 Columbus Avenue in the South End Urban Renewal Area.

James O. McFarland, Inc., of 15 Cefalo Street, West Roxbury and Bernard Hayes of 143 West Canton Street, South End, have submitted a proposal for the rehabilitation of Parcels RR-102 through RR-112 in accordance with Authority Standards, Guidelines and the South End Urban Renewal Plan.

The proposal calls for the rehabilitation of eleven (11) brick structures at an estimated cost of \$944,000. The financing will be sought from Massachusetts Housing Finance Agency.

The Authority and the Developers agree to work with SEPAC in developing a mechanism in concert with M.H.F.A., if possible, to effect Resale of these buildings, with-in the block in question, for individual home-ownership. Specifically, re-sale to previous owners and/or tenants, as has already been discussed in the Community, will be given priority.

It is appropriate at this time to tentatively designate James O. McFarland, Inc., and Bernard Hayes as Redevelopers of Parcels RR-102 through RR-112 so that formal processing of plans and financing arrangements may be initiated. Mr. McFarland and Mr. Hayes's submission indicated sufficient ability to act as the Redevelopers of Parcels RR-102 through RR-112.

I, therefore, recommend that the Authority tentatively designate Mr. McFarland and Mr. Hayes as Redevelopers of RR-102 through RR-112 in the South End Urban Renewal Area.

An appropriate Resolution is attached.